



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,666	09/25/2001	Rudolf Kodes	1454.1079	6964
21171	7590	03/16/2006		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER THANGAVELU, KANDASAMY	
			ART UNIT 2123	PAPER NUMBER

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/889,666

Applicant(s)

KODES, RUDOLF

Examiner

Kandasamy Thangavelu

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5-7,9-13 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5-7,9-13 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This communication is in response to the Applicants' Response mailed on February 16, 2006. Claims 1, 5-7, 9-13 and 20 were amended. Claims 2-4, 8 and 14-19 were canceled. Claims 1, 5-7, 9-13 and 20 of the application are pending. This office action is made non-final.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Art Unit: 2123

4. Claims 1, 5-7, 9-13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Agrawal et al.** (U.S. Patent 6,278,977) in view of **Steinman** (U.S. Patent 6,324,495).

4.1 **Agrawal et al.** teaches Deriving process models for workflow management systems from audit trails. Specifically, as per claim 1, **Agrawal et al.** teaches a processing method for an engineering activity (Abstract, L1-9; CL2, L16-23), comprising:

connecting a first event of the engineering activity to a set of second events of the engineering activity (CL2, L16-23; Fig. 4, Items A, B and C);

determining at least one third event of the engineering activity from the set of second events (Fig. 4, Item D, B and C; CL2, L18-23); and

carrying out the connection of the at least one third event to the first event in a predecessor/successor relationship (CL8, L6-15; CL10, L40-47).

Agrawal et al. does not expressly teach connecting a first event of the engineering activity to a set of second events of the engineering activity in a cause-and-effect relationship. **Steinman** teaches connecting a first event of the engineering activity to a set of second events of the engineering activity in a cause-and-effect relationship (Abstract, L1-6; CL1, L39-47; CL1, L48-54). It would have been obvious to one of ordinary skill in the art at the time of Applicants' invention to modify the method of **Agrawal et al.** with the method of **Steinman** that included connecting a first event of the engineering activity to a set of second events of the engineering activity in a cause-and-effect relationship, because processing of an event can affect the state variables of the engineering system and can cause new events to occur in the future for one or

Art Unit: 2123

more objects in the system; this interaction of cause and effect relationship requires that the new events generated be scheduled to occur at activity time later than current time (CL1, L48-54).

Per claims 5-7: **Agrawal et al.** teaches the events have a predecessor/successor relationship with respect to one another (CL8, L6-15; CL10, L40-47);

the first event precedes the third event in the predecessor/successor relationship (CL8, L6-15; CL10, L40-47; Fig. 4, Items A and D);

the third event succeeds the first event in the predecessor/successor relationship (CL8, L6-15; CL10, L40-47; Fig. 4, Items A and D).

Per claims 9-11: **Agrawal et al.** teaches that the events have associated information generated as results of the activities (CL3, L24-29; CL7, L57-59);

representing an engineering activity system or a portion thereof with a graphical user interface ((CL3, L24-29);

the graphical representation is effected by means of actuation using a context-sensitive menu (CL3, L24-29; CL7, L57 to CL8, L5).

Per claim 12: **Agrawal et al.** teaches that the events are used to design an engineering activity (CL11, L45-55).

4.2 As per claim 13, **Agrawal et al.** teaches a processing system, having a processor (Abstract, L1-9; CL2, L16-23), to construct:

Art Unit: 2123

a first event of an engineering activity connected to a set of second events of the engineering activity (CL2, L16-23; Fig. 4, Items A, B and C);

at least one third event of the engineering activity determined from the set of second events (Fig. 4, Item D, B and C; CL2, L18-23); and

a connection of the at least one third event to the first event in a predecessor/successor relationship (CL8, L6-15; CL10, L40-47).

Agrawal et al. does not expressly teach a first event of an engineering activity connected to a set of second events of the engineering activity in a cause-and-effect relationship. **Steinman** teaches a first event of an engineering activity connected to a set of second events of the engineering activity in a cause-and-effect relationship (Abstract, L1-6; CL1, L39-47; CL1, L48-54).

Per claim 20: **Agrawal et al.** teaches that the events have associated information, generated as results of the activities (CL11, L45-55).

Conclusion

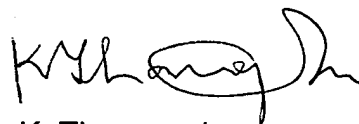
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Kandasamy Thangavelu whose telephone number is 571-272-3717. The examiner can normally be reached on Monday through Friday from 8:00 AM to 5:30 PM.

Art Unit: 2123

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez, can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



K. Thangavelu
Art Unit 2123
March 9, 2006